

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
City Hall Training Room
Thursday, March 21, 2013**

Attending:

Council Member Ted Ohmart
Council Member Kevin Trevillyan
City Manager Greg Sparks
Deputy Public Works Director Joe Cory
Development Planning and Inspection Manager
Christopher Shires

City Engineer Duane Wittstock
Principal Engineer Brian Hemesath
City Attorney Dick Scieszinski
Planner Kara Tragesser

Guests: Bill Lowry, Lowry & Hodge LLC – Item #1

Doug Mandernach – Civil Design Advantage – Item #1

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:30 a.m.

1. Whisper Ridge Plats 2 and 3

Development Planning and Inspection Manager Shires stated that Mr. Lowry and Mr. Mandernach were attending the meeting to discuss the Whisper Ridge development located west of 88th Street at Bridgewood Blvd. Mr. Shires provided a location map and pointed out the property boundaries and Comprehensive Plan's ultimate streets circulation plan. In 2007, there was an approved Preliminary Plat that created the base parcels for their project. There are now four items to discuss: (1) Revising the Preliminary Plat to eliminate stubbing 91st Street to the north property line. (2) Elimination of the Bridgewood Boulevard extension to the west property line. (3) Timing of and agreement by the City to acquire and reconstruct the private drive, Rockwood Lane, as a public street via special assessment. Mr. Shires pointed out the private driveway along the south boundary of this plat, that is named Rockwood Lane, and that it lines up with Coachlight Drive to the east. This public street is necessary for the proposed plat 3 (phase 3) of this development. (4) Timing for the paving of the remaining section of South 88th Street abutting this property just south of Bridgewood Blvd.

Mr. Lowry expressed that he was comfortable with leaving 91st Street to the north as previously approved, but proposes to grade Bridgewood Boulevard with plat 2 (phase 2) and pave or bond for it with plat 3 (phase 3). It was his understanding that the need for this section of Bridgewood Boulevard could go away depending on the layout of the adjoining Pavilion Park development. He does not want to construct this street if nothing ends up being connected to it as it would not be needed for his development. He will pave the remaining section of South 88th Street abutting his property when the multi-family land was developed (plat 4/phase 4).

Staff commented that was very unlikely that Bridgewood would be eliminated as it will be needed for traffic circulation. City Engineer Wittstock commented that the previous problems with the Bridgewood extension that had been expressed were the cost of the culvert crossing to the west. If the City Council adopts the storm water fee district system, this culvert crossing would be a fee district culvert and would then make the Bridgewood extension not so insurmountable. Mr. Wittstock emphasized that the road should go through for circulation and traffic volumes. Mr. Shires and Mr. Wittstock will be attending the Home Builders Association meeting today to discuss the proposed storm water sewer fee district.

There was considerable discussion regarding the paving of future Coachlight Drive (currently private Rockwood Lane). Mr. Wittstock provided project history stating that when the Whisper Ridge development came through the development process initially, the developer's representative, in discussion with the City Council committee, determined that the most equitable method to get the road paved was via special assessment. City Council subcommittee's direction was to initiate a special assessment project to pave the road to the west boundary of Whisper Ridge and special assess the adjoining property owners for the cost of the roadway and the ROW. This was to be a City initiated process and was ready to move forward, but was delayed due to a downturn in the economy. The City Council did not take official action to order construction of the extension of Coachlight Drive (Rockwood lane).

Mr. Wittstock continued that should the City wish to take the lead in paving Coachlight Drive (Rockwood lane), the timing of the improvements would need to be identified. If the Council desires, the process could be started with the

City acquiring the right-of-way which would give Whisper Ridge a second access on gravel via the existing Rockwood Lane.

Council Member Ohmart and Council Member Trevillyan were in agreement that since there was a conceptual plan in place that the City should move forward in that direction. Mr. Wittstock stated that he could bring this issue forward to City Council to authorize the project.

Mr. Lowry felt that those receiving benefit in that location should be paying, and that he should not have to pay as it was not his property. He would be willing to pay up to a third of the cost, but the other property owners who use Rockwood Lane should pay their share.

Policy normally dictates that the developer would pay along the frontage of the improvements for a special assessment project. Council Member Trevillyan stated that City policy needed to be followed. Mr. Wittstock commented that another option would be to leave Rockwood Lane as a private driveway. It may not be a good option as it could cause access issues on S. 88th Street since a raised median was proposed in the street. There was considerable discussion regarding street access and locations and who would receive the benefit from paving.

Mr. Lowry commented that his position was to grade Bridgewood Boulevard during plat 2 and construct Bridgewood Boulevard with plat 3 if required. Council Member Ohmart asked if the City Engineer was comfortable with the grading only in plat 2. Mr. Wittstock replied yes if there was enough value left in the remnant parcel to cover costs. Council Member Trevillyan expressed that he was in favor paving the Bridgewood Boulevard extension as part of plat 3.

Mr. Lowry requested that S 88th Street not be extended until the adjacent land was ready to develop. At this point, S 88th Street is all gravel south to Mills Civic Pkwy. Timelines for the construction of Coachlight Drive and secondary accesses were discussed, possibly in 2015.

Mr. Shires summarized: (1) The developer will install the 91st Street stub to the north property line per the current Preliminary Plat with plat 2/phase 2; (2) Plat 2/phase 2 of the single family development will not include the Bridgewood right-of-way, but the right-of-way will be graded for Bridgewood Boulevard with plat 2; (3) Plat 3/phase 3, the developer will either construct Bridgewood Boulevard or bond for the construction of Bridgewood Boulevard and agree to construct it when requested by the City; (4) Plat 3/phase 3, the developer will construct 91st Street to the south Coachlight Drive (Rockwood lane). The City would then coordinate the access to Rockwood Lane at the time. The assessment district would be established for the pavement of Coachlight Drive (Rockwood Lane) and with the pavement of Coachlight, the developer would install their remaining portion of S. 88th Street if not already constructed as a part of plat 4/phase 4. The cost distribution of Coachlight Drive (Rockwood Lane) special assessment is an outstanding issue. (5) The developer would install their remaining portion of S. 88th Street as part of plat 4/phase 4 if not already constructed.

It was then discussed how far to construct to the west property line of 91st Street. This item will be brought back to a future subcommittee meeting for continued discussion which would allow time for Mr. Wittstock to research and provide additional facts and details regarding the Coachlight Drive (Rockwood Lane) paving and allocation of the assessment.

Direction: Staff will provide additional information on this issue at a subsequent meeting.

2. Office at the Galleria District Site Plan – Extension of Entitlement

Mr. Shires provided that Doug Siedenburg had requested an additional Extension of Entitlement for an approved Overlay District Site Plan to allow construction of an office/bank building located at 645 S. 60th Street in the Galleria at Jordan Creek development. The initial entitlement period was for two years, and Mr. Siedenburg has made this request several times with the City approving one-year extensions for the last several years. Staff has no issues with approving an additional year as there have been no changes to City Code that impact the site plan.

Direction: The Council Members had no objections to an additional 1-year extension for this project which staff will bring forward to the City Council for consideration.

3. Maffitt Ridge Subdivision – Maintenance Bonds

City Attorney Scieszinski stated that John Mandelbaum approached staff stating that the underground utilities contractor for the Maffitt Ridge Subdivision was not financially able to post the maintenance bond required by the City following completion of the underground work. In addition, surety is required by the City to insure the installation of sidewalks following the construction of each home. The approximate amount of coverage necessary for the maintenance bond and the sidewalk bond is \$963,000. As the developer, Mr. Mandelbaum acknowledged his responsibility to provide the surety, but would like to avoid the cost of the bond (4% of the surety principal) and instead would assign a \$450,000 line of credit to the City on which to draw, if necessary, and provide a personal guarantee for the remainder. He would be willing to provide documentation of his and his partner's assets regarding the personal guarantee, including their ownership of significant real estate holdings in the area. Mr. Scieszinski stated that the sidewalks are an outstanding obligation, but most likely would not be installed until a home was constructed. He clarified that performance bonds would be needed for the sidewalks; the maintenance bonds were for the utilities. Mr. Mandelbaum previously stated to staff that there could be a lien on each lot for the sidewalks, with Mr. Mandelbaum paying the administrative costs.

Council Member Trevillyan expressed his concerns and that assets could be depleted. Council Member Ohmart stated that he would like the Finance Department to determine if this was an acceptable alternative. He was in agreement to take this concept forward if staff was comfortable and the Finance Department found this alternative to bonding acceptable. Council Member Trevillyan could support the alternative to bonding if tangible property of value was available.

Direction: The Council Members were in support of presenting this alternative proposal for bonding to the City Council for Consideration if the City's finance department determined the proposal adequately protects the City.

4. Upcoming Project

- a. Woods at Sugar Creek - Mr. Shires informed the committee that the project located at the southside of Mills Civic Parkway at the 1000 block has changed the name to Tiburon, and that the developer intends to subdivide the property into 13 lots for single family development and one outlot for a greenway. The applicant will first need a Comprehensive Plan amendment and a rezoning request. After discussion, there was concern expressed with the number of cul-de-sacs, where the water main was to be installed due to the topography, and construction of the road and location of future connections. Council Members Trevillyan and Ohmart expressed that it was very important to have a north/south connection. The specific details of the alignment of Stagecoach Drive and how to cross the creek is still being discussed. The entire greenway will be platted out for parkland dedication which will exceed the requirements.
- b. Heritage Hills – Mr. Shires pointed out the land belonging to Steve Gillotti which lies east of 88th Street and north of E. P. True Pkwy. There are 7.5 acres of Neighborhood Commercial (NC) on the northeast corner of 88th Street and E. P. True Pkwy that Mr. Gillati has requested a Comprehensive Plan Land Use change and a rezoning from Neighborhood Commercial (NC) to High Density Residential (HDR). Sanitary sewer service would come from the west for which there is adequate capacity. Staff has no objections to this request.
- c. Watermark at Jordan Creek Site Plan – The application for a 176 unit apartment complex at the northeast corner of Stagecoach and the future S 68th Street located south of Wal-Mart and north of Pheasant Ridge was recently received. Mr. Shires has sent a copy of the proposed Site Plan to the President of the Pheasant Ridge Homeowners Association. The Site Plan has been modified in response to a meeting Watermark had with the Pheasant Ridge residents. The clubhouse and pool have been moved to the south which transitions the building mass to the north. Building elevations have not yet been received for this four-story apartment complex. A four-storied building versus a three-story is still an item of contention with the Pheasant Ridge homeowners. Mr. Shires also provided that S. 68th Street will be constructed with this project. Council Member Trevillyan asked if an engineering firm could provide 3-D renderings of the development to obtain a better view of how the development would actually look which could be beneficial to the neighbors, as well as Council. Mr. Shires stated that he would investigate obtaining 3-D pictures from the applicant. The applicant did generate and share with Pheasant Ridge a few line-of-site illustrations depicting what the neighbors would potentially be viewing.

- d. Galleria at Jordan Creek Plat 15 – The City has received a site plan and plat application for approval to re-plat an outlot and develop a retail center. This will be the last retail strip building in the development located at 68th Street and Mills Civic Parkway next to Orange Leaf and a Casey's store. There are no outstanding issues.
- e. S. 51st Street McDonalds Remodel – The applicant is requesting approval to add a second drive-thru and modify McDonald's exterior at their 745 South 51st Street location. This property is covered by a PUD that covers building architecture and their plans do not match the existing requirements. The proposed white EIFS front with golden arch roof elements and galvanized metal panels do not match the rest of the building. Staff will continue to work with the applicant, but will not be recommending approval of the building modification as proposed as they do not comply with the PUD.
- f. Amanda the Panda Grief Support Center - Mr. Shires stated that the applicant has requested approval for a Minor Modification to renovate the former Hospice of Central Iowa building at 1821 Grand Avenue for a counseling center for children called Amanda the Panda. There was very little parking on site and the adjoining property owners have given their permission to allow parking on their property during off-peak hours. Since there will be off-site parking, a parking deferral will need to be obtained and approved by City Council. Discussion ensued regarding the importance of interconnections and sidewalks between properties. The Council Members expressed that a vehicle interconnection to the adjoining parking lot to the north should be installed as part of the project.
- g. Enclave at Ashworth Plat 2– Mr. Shires provided that the applicant was proposing to subdivide the property located at the southeast corner of Ashworth Road and 67th Street into 22 lots for single family development. The lot sizes are consistent with Plat 1. Mr. Shires pointed out on a location map the significant wetlands area which will be platted into an outlot.
- h. DMACC West Campus Maintenance Building – Planner Tragesser expressed that the applicant has requested a Major Modification to construct a 2,400 sq. ft. maintenance building to the north of their existing building at 5959 Grand Avenue to store maintenance and other equipment. Architectural building details were provided. The same metal panels will be used for siding on the maintenance building as those used on the back of the main DMACC building.

5. Other Matters

- a. Item for April 18 meeting – A request has been received to amend the zoning code to allow chickens within Single Family Residential zoning districts.
- b. Traffic Study for University Kum and Go – Mr. Wittstock stated that Krause Gentle has approached the City to discuss their Kum and Go/Burger King site on University Avenue west of the interstate. They are interested in having better traffic flow and improved circulation in and out of their location, i.e., possibly lining the drive lanes, installing an east bound right turn lane, or moving the canopy so it would not be so restrictive. They have requested that the City conduct a traffic study before submitting a Site Plan so that needed improvements could be identified. Fees are based on traffic generation.

Directions: The Council Members were supportive of conducting a traffic study for this site prior to Site Plan submittal.

The meeting adjourned at 9:15 a.m. The next Development and Planning City Council Subcommittee meeting is scheduled for Thursday, April 4, 2013.

Christopher Shires, Development Planning
and Inspection Manager

Kim Taylor, Recording Secretary